Table 2. Draft Class III Fact Sheet Specific Comments (Cont.)

No.	Fact Sheet		Type	Comment and Requested Modification
	Page	Section		
				removal of this statement. If there is a breach in the vertical confinement, flow into overlying or underlying aquifer would not occur due to the net withdrawal within the wellfield at all times.
F19-New Comment	119	13.4	C	See Powertech's comment F13 above. Any changes made should also be made here.
F20-New Comment	121	14.1	I	"In addition, the flow rate of each production and injection well will be measured automatically." This is not consistent with the draft permit which says flows will be recorded daily (See draft permit Part VIII. F.4.b.iii.)
F21-New Comment	128	16.1	C	The requirement includes a 45-day notice for the plugging and abandonment of any injection or production well. Powertech does not believe EPA has the authority to include plugging requirements on wells which are not injection wells. Regardless, it seems that such a requirement is more detrimental than helpful. For example, if a well has failed MIT then this well should be plugged immediately so as not to serve as a conduit for unwanted flow into a USDW. Keeping a compromised well open for 45 days would be counterproductive to protecting overlying and underlying aquifers. In the Revised Draft Class III Permit, Powertech is already required to report an MIT failure within 24 hours and expects that EPA should be able to provide a similar immediate response for approval to plug and abandon a well that has failed MIT.
F22-New Comment	129	17.1	C	EPA states that Powertech stated that it initially responded to NRC that it would use an irrevocable letter of credit to secure financial assurance. Such statement was made approximately 8 years ago. As conditions change over time, Powertech may propose using any instruments for financial assurance that are applicable and sees there is no need to limit these at this time.
F23New Comment	132-133	18.2	I	See comments 103-107 on new wildlife requirements above. Powertech repeats these comments here and requests any changes made to these requirements be addressed here as well.
F24-New Comment	123	15.1	C	"Cadmus provided the EPA with a series of documents that supported the EPA's development of permit requirements that will result in effective tools for evaluating the fate and transport of ISR contaminants. Cadmus also provided acceptance criteria to assist the EPA in evaluating the resulting CSM and geochemical model the Permittee will develop according to the permit requirements." Powertech requests this statement be revised to remove requirements that are directly derived from the proposed CADMUS documents/requirements and replace these with requirements that are fully consistent with NRC requirements and existing regulations applicable to uranium ISR operations in the USA, as was contemplated in Powertech's Proposed Alternate Solution to Post-Restoration Groundwater Monitoring, Attachment A-3, of Powertech's Original EPA Letter and as discussed in this submission. NRC requirements should serve as a primary basis for any geochemical modeling. Powertech requests that EPA clarify that there is no need to implement the approaches within these documents as NRC requirement are fully protective and the EPA approval of closure will not rely on the CADMUS documents for standards of this

Comment type key: **A** – alternate approach proposed; **C** – correct to be consistent with application, regulations or NRC license requirements; **E** – additional explanation requested; **I** – inconsistency (internally inconsistent between parts of Draft permit or supporting documents); **R** – remove; inconsistent with application, regulations or NRC license requirements; **T** – typographical error